



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Shinji Kato et al

Group Art Unit: 1774

Serial No.: 10/615,775

Examiner: Dawn L. Garrett

Filed: July 10, 2003

P.T.O. Confirmation No.: 9483

For: DIARYLAMINO GROUP-CONTAINING COPOLYMER, ORGANIC ELECTROLUMINESCENT DEVICE, AND METHOD OF PRODUCING HOLE TRANSPORT LAYER FOR ORGANIC ELECTROLUMINESCENT DEVICE

**RESPONSE TO THE RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: July 5, 2005

Sir:

This is in response to the Office Action of May 2, 2005, requiring restriction among three alleged inventions under the provisions of 35 USC § 121.

In the Office Action, restriction was made between two patentably distinct inventions: **Group I** drawn to a copolymer and electroluminescent device comprising a copolymer (claims 1-15); and **Group II** drawn to a method for making a electroluminescent device (claims 16-24).

Applicants hereby provisionally elect **Group 1, that is, claims 1-15**, for examination on the merits in this application. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

Further, the examiner indicated that the claims are directed to the following patentably distinct species: Copolymers according to formula (1). Applicants were required to elect a single species of formula (1) by indicating the following: a) a single "A₁" group selected from either formula (2) or formula (3) with each "X" variable of the selected A₁ group indicated from the choices listed in claim 1; and b) a single "J₁" unit selected from one of formulas (4) to (7). If the selected "J" group has "R" groups, each "R" variable should be indicated from the choices listed in claim 1.

It was therefore required that applicants elect a single disclosed species for prosecution on the merits to which the claims shall be restricted in the event the generic claim was not found to be allowable. It was further required that applicants state the claims which read on the elected species. It was indicated that claims 1-5, 9, 11-17 and 19-24 are generic.

Applicants hereby elect **formula (2) as the A₁ Group where "X" of formula (2) is as follows: X₁ = H; X₂ = CH₃; X₃ = H; X₄ = H; X₅ = H; X₆ = H; X₇ = H; X₈ = OCH₃; X₉ = H; and X₁₀ = H. Further, applicants hereby elect **formula (4) as the J₁ Unit where each "R"****

of the formula (4) is as follows: $R_1 = H$; $R_2 = CO_2H$; $R_3 = H$; and $R_4 = CO_2CH_3$. From a review of the specification and claims, it would appear that the claims 1-15 read on the elected species. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected species.

Favorable consideration of the subject application is respectfully requested.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this response.

Respectfully submitted,

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